HIGH COURT OF UTTARANCHAL AT NAINTIAL

WRIT PETITION NO. 942 (MS) OF 2004

1. Smt. Surti Devi, wife of late Sri Mohar Singh,
2. Sh. Jitendra Singh, son of late Mohar Singh,

Both residents of Village Malhan Karbari, P.O. Naya Gaon Paleo, District Dehradun.

.....Plaintiff/Petitioners

Versus

Civil Judge (Sr. D), Dehradun
And others. .....Respondents.

Hon'ble Mr. Rajesh Tandon. J.

Heard Sri Yogesh Pandey learned Counsel for the Petitioners and Standing Counsel for the respondents.

By the present petition, the petitioner has prayed for a writ of mandamus commanding the respondent no. 1 to decide the Original Suit No. 511 of 2002.

Briefly stated, the Suit was filed being Suit NO. 511 of 2002 praying that the sale deed executed by the defendant no.2 to 5 in favour of the defendant no. 1 be declared void and also for permanent injunction not to dispossess the plaintiff from the property in dispute.

Counsel for the petitioner has made a limited submission that the Suit filed in the year, 2002 may be directed to be expedited. Taking into consideration the plaint averments, it is

desirable in the interest of justice that the suit be heard and expedited.

In view of the aforesaid fact, the respondent no. 1 is directed to decide the suit within a period of 9 months from the filling of the certified copy of the order.

Subject to the aforesaid observations, writ petition is disposed of.

30.09.2004 **(RAJESH TANDON J.)**

Rathour